



Turner v. Shaw Constructors, Inc., No. 1:11-CV-097-MR-DLH, 2011 WL 3156332, at \*1 (W.D.N.C. July 26, 2011) (quoting 5C Charles Alan Wright, Arthur R. Miller, Mary Kay Kane & Richard L. Marcus, *Federal Practice and Procedure* § 1376 (3d ed.2004)); see also Evans v. Sam's East, 3:16-CV-671-FDW-DCK, 2016 WL 11646027 (W.D.N.C. Oct. 13, 2016).

## **DISCUSSION**

Ebony Lucas (“Plaintiff” or “Lucas”), appearing without counsel, filed a “Complaint For Money Owed” (Document No. 1-2) in the District Court of Mecklenburg County, North Carolina on or about October 2, 2023. The Complaint names Helvey & Associates, Inc. and Duke Energy Carolinas, LLC as Defendants, and seems to allege violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (“FDCPA”) and the Fair Credit Reporting Act, 15 U.S.C. 1681 *et seq.* (“FCRA”). (Document No. 1-2, p. 2).

Defendant Helvey & Associates, Inc. (“Defendant” or “Helvey”) filed a “Notice Of Removal” (Document No. 1) with this Court on November 20, 2023. Defendant contends that this Court has jurisdiction over Plaintiff’s FDCPA and FCRA claims pursuant to 28 U.S.C. § 1331. (Document No. 1, p. 2).

Defendant filed the pending “Motion For More Definite Statement” (Document No. 20) on November 27, 2023. Defendant argues that the current Complaint is so vague and ambiguous it “renders it virtually impossible for Helvey to craft a responsive pleading.” (Document No. 2, p. 2) (citing Document No. 1-2).

After review of Defendant’s arguments and legal authority, as well as the Complaint, the undersigned finds good cause to grant the requested relief. See (Document Nos. 2 and 2-1) and (Document No. 1-2). Moreover, Plaintiff has failed to file any response to the pending motion, and the time to do so has lapsed. See LCvR 7.1(e).

**IT IS, THEREFORE, ORDERED** that “Defendant Helvey & Associates, Inc.’s Motion For More Definite Statement” (Document No. 2) is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff Lucas shall file an Amended Complaint, consistent with the requirements of Fed.R.Civ.P. 8, on or before **January 12, 2024**.

The Clerk of Court is directed to send a copy of this Order to *pro se* Plaintiff by certified U.S. Mail, return receipt requested.

**SO ORDERED.**

Signed: December 18, 2023

  
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David C. Keesler  
United States Magistrate Judge

